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December 27, 2005

VIA ELECTRONIC FILING

Mr. Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W., Room 700
Washington, DC 20423-0001

Re: **Finance Docket No. 34788**
Mitchell-Rapid City Regional Railroad Authority and Dakota
Southern Railway Company – Trackage Rights Exemption – BNSF
Railway Company

Dear Secretary Williams:

On November 29, 2005, the Mitchell-Rapid City Regional Railroad Authority ("MRC") and Dakota Southern Railway Company ("DSRC") filed in the above-captioned proceeding a verified notice of exemption pursuant to 49 C.F.R. § 1180.2(d)(7) to obtain certain trackage rights over rail lines in the state of South Dakota. Notice of the proposed transaction was served and published in the *Federal Register* on December 19, 2005. A petition to stay the proposed transaction was denied by decision served December 5, 2005, and MRC and DSRC's exemption became effective on December 6, 2005.

MRC and DSRC hereby advise the Board that they consummated the proposed transaction on December 27, 2005.

Respectfully submitted,



Myles L. Tobin
Attorney for Mitchell-Rapid City Regional Railroad
Authority and Dakota Southern Railway Company

MLT: arw
Enclosures.

cc: Adrian L. Steel, Jr., Esq.